

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
DOCKET NO. 3:15-cv-00014-MOC

OSMAN WHITE,)
)
Petitioner,)
)
Vs.) ORDER
)
UNITED STATES OF AMERICA,)
)
Respondent.)

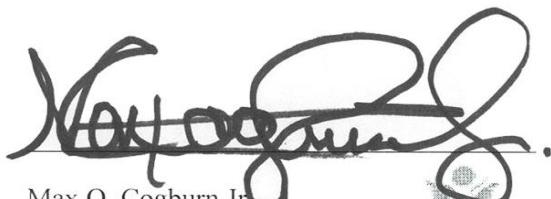
THIS MATTER is before the court on consideration of the government's Response (#6) to petitioner's Motion for Vacate, Set Aside, or Correct Sentence (#1). In accordance with Rule 5, Federal Rules Governing Section 2255 Proceedings, the court will afford petitioner an opportunity to file a Reply to such Response as the government therein seeks dismissal.

Finally, the court has considered petitioner's request for an evidentiary hearing (and necessarily counsel) in light of the claims raised in his petition and the government's response. The court finds that petitioner ably expressed his legal contentions, that the reasons the government seeks dismissal are straight forward, and that petitioner has, according to the PSR, *significant* educational achievement. The request for an evidentiary hearing and counsel is, therefore, denied. The court will, however, keep such issues open throughout these collateral proceedings.

ORDER

IT IS, THEREFORE, ORDERED that petitioner file his Reply to the government's Response not later than May 8, 2015.

Signed: April 2, 2015



A handwritten signature in black ink, appearing to read "Max Q. Cooburn, Jr.", is positioned over a horizontal line. The signature is fluid and cursive, with a large, stylized initial "M".

Max Q. Cooburn, Jr.